

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Shakur Muhammad v State of Michigan**

Docket No. **274017**

L.C. No. **06-000062 MP**

William C. Whitbeck, Chief Judge, acting under MCR 7.211(E)(2), orders:

The motion to waive fees as to appellant Shakur Muhammad pursuant to MCR 7.202(4) and 7.204(B)(2) is DENIED because MCL 600.2963 mandates that a prisoner pursuing a civil action be liable for the filing fees. Appellant Muhammad is not required to pay an initial partial fee. However, for an appeal to be filed, **appellant Muhammad shall submit a copy of this order and refile a copy of the claim of appeal within 21 days of the certification of this order.** By doing this, appellant Muhammad becomes responsible for paying the \$375 filing fee if appellant Percival does not pay the \$475.00 he has been ordered to pay and may not file another appeal or original action in this Court until such time that either the Department of Corrections remits or appellant Muhammad pays the entire outstanding balance due. 1999 PA 147, MCL 600.2963(8). Failure to comply with this order shall result in the appeal not being filed in this Court and appellant Muhammad not being responsible for paying the filing fee.

If appellant Muhammad timely refiles the claim of appeal, monthly payments shall be made to the Department of Corrections in an amount of 50 percent of the deposits made to appellant's Muhammad account until the payments equal the balance due of **\$375 if appellant Percival does not pay the filing fee.** This amount shall then be remitted to this Court. Again, appellant Muhammad may not file either an original action or an appeal until the entire filing fee has been paid. 1999 PA 147, MCL 600.2963(8).

The Clerk of this Court shall furnish two copies of this order to appellant Muhammad and return a copy of the claim of appeal to appellant Muhammad with this order.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

JAN 12 2007

Date

Sandra Schultz Mengel
Chief Clerk